

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Carly Kalbfleisch,

Plaintiff

v.

FMWCC, et al.

Defendants

Case No.: 2:24-cv-02137-JAD-BNW

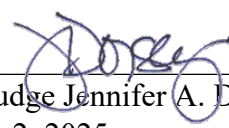
**Order Confirming Voluntary Dismissal,
Denying IFP Application, and Closing Case**

[ECF Nos. 4, 5]

State prisoner Carly Kalbfleisch brings this civil-rights action to redress constitutional violations that she allegedly suffered during her incarceration. In response to the court's order setting a deadline for the plaintiff to either pay the \$405 filing fee or file a complete application to proceed *in forma pauperis*, Kalbfleisch filed a motion to voluntarily dismiss this action without prejudice.¹ Voluntary dismissals do not require a court order when, like here, no party has served "either an answer or a motion for summary judgment[.]"²

IT IS THEREFORE ORDERED that:

- The motion for voluntary dismissal (ECF No. 5) is construed as a notice of voluntary dismissal under Rule 41(a)(1)(A)(i), and **this action is DISMISSED without prejudice;**
- The application to proceed *in forma pauperis* (ECF No. 4) is **DENIED as incomplete and moot;** and
- The Clerk of the Court is directed to **CLOSE THIS CASE.**



U.S. District Judge Jennifer A. Dorsey
Dated: January 2, 2025

¹ ECF No. 5.

² Fed. R. Civ. P. 41(a)(1)(A)(i).